

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

DECRIK STEPHENS, 1523681,

§

Plaintiff,

§

v.

§ Civil Action No. **3:11-CV-1601-L**

**PROGRAM DIRECTOR OF
K104FM, et al.,**

§

Defendants.

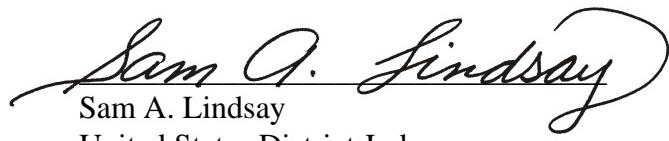
§

ORDER

On July 12, 2011, Plaintiff Decrict Stephens filed this action against the Program Director and the show host of radio station K104FM in Dallas/Forth Worth, Texas, making various allegations regarding the music and shows played by Defendants. The case was referred to Magistrate Judge Paul D. Stickney, who entered Findings, Conclusions and Recommendation of the United States Magistrate Judge (“Report”) on September 21, 2011. Plaintiff did not file objections to the Report.

The Report concludes that the court lacks subject matter jurisdiction to hear Plaintiff’s claim because Plaintiff’s Complaint asserts no federal statutory or constitutional basis for his suit, and Plaintiff does not allege diversity of citizenship. Having reviewed the pleadings in this case, and the findings and conclusions of the magistrate judge, the court determines that the findings and conclusions are correct. The court therefore **accepts** the magistrate judge’s findings and conclusions as those of the court, and **dismisses sua sponte** this action **without prejudice** for lack of subject matter jurisdiction.

It is so ordered this 12th day of October, 2011.



Sam A. Lindsay
United States District Judge